



FoodBytes

FDA Joint Meeting with CASA

The annual Food and Drug Administration (FDA) state regulators meeting was held this year in Towson, MD, in conjunction with the Central Atlantic States Association of Food and Drug Officials (CASA) seminar. State regulators were given valuable information related to the FDA Voluntary Program Standards, interpretations of the 2009 Food Code, and updates to the Standardization workbook. In addition, it was an opportunity to network with FDA regulators for insight on new educational opportunities, guidance documents, and training tools coming from FDA.

Dr. Steven Solomon, Assistant Commissioner, Office of Regulatory Affairs, FDA, spoke about the Food Safety Modernization Act (FSMA) which was signed into law by President Obama on Jan. 4, 2011. The FSMA incorporates Federal, State and local agencies to work together in a nationwide overhaul to the food safety system by emphasizing farm to table responsibilities. FDA has already begun the transformation, but

there is much more work to be done including writing 50 new rules, guidance documentation, and educational outreach within three years. For more information on the FSMA visit www.fda.gov.

Industry speakers were also present at the seminar, including Dionne Forrest, McDonalds, spoke on the interactive approach to retail Hazard Analysis Critical Control Points (HACCP) using the HACCP Star program. This program teaches employees and management the values of food safety through a HACCP approach where every point on the star relates to one or more of the HACCP rules. This concept spells out employee training, employee hygiene, and food processes.

This joint meeting was valuable training for all who attended. The speakers brought a depth of knowledge that gave great insight to the workings of other local, State, and Federal food protection programs.

Lisa Harrison, ISDH

FDA Food Code Training

Food Safety Inspection Officers (FSIO's) around the state gathered in the Indiana Government Center for three days of training from FDA on the 2009 FDA Food Code in early May. Though Indiana has not adopted some of the newer portions of the 2009 Food Code yet, many of the individual code references are in Indiana's Retail Food Establishment Sanitation Requirements, Title 410 IAC 7-24. The main purpose of the training was to learn what was new in the 2009 FDA Food Code and re-

inforcement of current code interpretations.



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ISDH To Roll Out a New Inspection Form 2012

The Indiana State Department of Health (ISDH) is rolling out a new Food Establishment Inspection Report form that will soon be used as the official inspection form of the State. In an effort to be more uniform with FDA, this inspection form uses risk based inspection procedures to check overall compliance in a retail food establishment.

This new Food Establishment Inspection Report form will be familiar to those who have participated in the Standardization Program. It has many of the same components as the Annex 2 in the Standardization Manual. The Foodborne Illness Risk Factors and Public Health Interventions

have a checklist for compliance using in, out, not applicable (N/A), or not observed (N/O) for violation citations. Good Retail Practices, preventative measures to control the introduction of pathogens, chemicals, and physical objects into foods are marked

**Food Establishment
Inspection Report Forms
will be out in 2012**

on the bottom half of the form with an "X" to show non-compliance. This form will be used in conjunction with a narra-

tive form for a description of the violations that are cited as well as documented temperature observations.

When the Food Establishment Inspection Report Form rolls out, possibly sometime in 2012, an instruction manual will be included for the Food Safety Inspection Officer (FSIO) to help with identifying correct codes to cite as violations by assigning a corresponding number on the inspection report form to each code in the Retail Food Establishment Sanitation Requirements, Title 410 IAC 7-24, very similar to the Annex 3 in the Standardization Manual.

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Retail Food Inspection Scam & the Indiana Intelligence Fusion Center

The Indiana State Department of Health (ISDH) has received reports from Allen, Grant, Hamilton, Jasper, Johnson, Marshall, Miami, Monroe, Orange, Porter, Putnam, St. Joseph, Warrick, Wayne and Wells counties of suspicious activity concerning individuals calling restaurants from a broadband number (computer phone), likely from California and claiming to be ISDH food inspectors. The individuals call retail food establishments and say that they were planning to conduct an inspection the next day. If the food establishment was not prepared, they threatened to assess a \$500 fine or, had a scheme to set up a Craigslist account from information they obtained to act as the legitimate business to further conduct a scam. Most recently, pizza and Asian food establishments have been targeted. Their motives remain unclear, but it appears to be a money scam. ISDH encourages the local health departments

to educate on inspection procedures. The education should include the operators right to ask for identification at the time of an inspection, and to contact the local law enforcement authority if



they have any suspicious incidents. This has been going on since at least April 2010 in Indiana, but this scam is being reported in communities nationwide. The ISDH has been working collaboratively with the Indiana Intelligence Fusion Center (IIFC) on this scam.

Following the events of Sept. 11, 2001, many local, state, and federal agencies initiated efforts to improve information sharing and intelligence gathering. The purpose of IIFC is to collect, integrate, evaluate, analyze and disseminate information and intelligence to support local, State and Federal agencies in detecting, preventing, and responding to criminal and terrorist activity. The IIFC, operated by the Indiana State Police, receives policy development, administrative guidance, and oversight from an Executive Committee consisting of representatives from the local, State, and Federal governments. The IIFC may be reached at (866) 400-IIFC (4432) or iifc@iifc.in.gov. View their website at: <http://www.in.gov/iifc> Any questions may be directed to the ISDH, Food Protection Program at (317) 233-7360.

Sarah Popovich, ISDH

National Retail Food Regulatory Program Standards

Every health department in Indiana should be beginning the self-assessment phase of the FDA Voluntary National Retail Food Regulatory Program Standards (Program Standards), but unfortunately only seven counties plus the ISDH have signed up. Though the title of the program says voluntary, failure to enroll may hinder local health departments from ultimately receiving state grants to fund their programs in the years to come.

According to the Program Standards manual, FDA says the rationale for the Program Standard is, "achieving national uniformity among regulatory programs responsible for retail food protection in the United States has long been a subject of debate among the industry, regulators and consumers. Adoption of the FDA Food Code at the state, local and tribal level has been a keystone in the effort to promote greater uniformity. However, a missing piece has been a set of widely recognized standards for regulatory programs that administer the Food Code. To meet this need FDA has developed the Voluntary National Retail Food Regulatory Program Standards (Program Standards) through ideas and input from

Federal, State, and local regulatory officials, industry, trade and professional associations, academia and consumers on what constitutes a highly effective and responsive retail food regulatory program (1)." The self-assessment will actually document areas of deficiency within the food protection programs.

The Program Standards consist of nine standards that all local and state health departments should meet. However, it is understood that budgetary constraints and lack of qualified employees hinder food protection programs. Promotion of the Program Standards will provide a uniform food safety approach so that no matter in which state or local county a retail food establishment operates, the same standard will apply. This will lead to more effective administrative procedures, inspections, and tracking of foodborne illness.

"It does require commitment, but it is time well spent (2)." Your local ISDH Field Staff will be visiting your health departments and coming to the Indiana Environmental Health Association (IEHA) meetings and conferences to discuss the Program Standards. Get a head start and sign up today by contacting Kris Moore, Regional

Retail Food Specialist, USFDA at (502) 425-0069 or email kris.moore@fda.hhs.gov.

Source 1: USFDA, Voluntary National Retail Food Regulatory Program Standards Manual, April 2009

Source 2: Sue Norris, Food Bytes, Summer 2006 (Volume 7, Number 2)

9 Program Standards

- 1 Regulatory Foundation
- 2 Trained Regulatory Staff
- 3 Inspection Program Based on HACCP Principles
- 4 Uniform Inspection Program
- 5 Foodborne Illness Investigation & Response
- 6 Compliance and Enforcement
- 7 Industry and Community Relations
- 8 Program Support and Resources
- 9 Program Assessment

CFP Update

The Conference for Food Protection (CFP) seems forever away, but mark your calendar now because it will be here before you know it.

The CFP being held in Indiana is extremely exciting and the Local Arrangements Committee wants to give those working in the food protection industry an awesome experience. Visitors from all across the United States will be in Indianapolis for a week to discuss the most important food safety

issues that may eventually end up being addressed in the FDA Food Code.

2012 will be a big year for the State of Indiana with the Super Bowl and the CFP, but we are gearing up for the challenge, so get ready for the CFP at the Hyatt Regency, downtown Indianapolis, IN on April 13-18, 2012 and if you have any questions or need more information go to:

www.foodprotection.org

SAVE THE DATE



APRIL 13-18, 2012

Assignment of Retail Inspections Based on Risk

Flip over the inspection form and you will see a list of five menu types. Did you know that only 65percent of the local health departments are collecting this information? Menu types are used by the Food Safety Inspection Officer (FSIO) to identify those retail food establishments that are high risk and need more inspection time.

Menu types do not define the risk associated with the establishment, but rather it is a tool used to help assign risk.

Assigning establishments into a risk based inspection program will ensure that resources are focused on those facilities that pose more of a hazard related to the possible spread of foodborne illness. Each establishment will be put into a risk category through careful consideration of many factors including menu type, complexity of the food processes, types of populations served, and history of non-compliance. The risk assigned will assist in determining the frequency a facility would be inspected by the FSIO.

Risk 1 establishments would be low risk serving non-time/temperature control for safety (TCS) foods and pre-

packaged non-TCS food, similar to what you would find in convenience stores. The FSIO may visit these types of establishments once per year or even once every eighteen months unless the establishment shows a strong history of non-compliance. In that case the FSIO may want to assign them a Risk 2.

Risk 2 establishments have



limited menu items with pre-packaged raw ingredients that are cooked or prepared to order and any raw ingredients that have minimal assembly. There may be hot and cold holding of TCS foods. These establishments may be assigned a menu type 2 or 3 and these establishments would be a higher risk than the Risk 1 establishments. Inspection frequency

for the FSIO may be two or more times a year. Risk 2 would include bakeries, schools, fast food, and convenience stores with hot food items. As with the Risk 1 establishments depending on compliance as well as active managerial control, they may be moved in or out of this risk type.

Risk 3 establishments handle extensive amounts and types of raw ingredients and there are complex food processes that have food going through the temperature danger zone more than one time. There is advanced preparation that include establishments using Reduced Oxygen Packaging (ROP) or another process that would require a HACCP plan. These establishments would be given a menu type 4 or 5 and the FSIO may perform inspections as often as three times or more per year.

It is a goal of the ISDH to have all local health departments performing risk based inspections and your ISDH field staff will be available to help with questions you have concerning the ranking of retail food establishments. The ISDH Field Staff can be contacted at:

<http://www.in.gov/isdh/23285.htm>

Be Wary of Restricted-Use Shellstock

During inspections of retail food establishments, un-shucked shellfish may be observed. Raw molluscan shellfish include oysters, clams, mussels and whole scallops. In accordance with 410 IAC 7-24, these products must be received from an approved source (section 155) with intact and legible tags bearing the required information (section 157). Tag retention is covered under section 160. FSIOs may encounter tags bearing a warning statement such

as “FOR SHUCKING BY A CERTIFIED DEALER OR PHP ONLY”. These products are only permitted to be distributed to certified dealers for shucking or post-harvest processing, as they may contain pathogens, such as *vibrio*. Shellstock bearing this identification is NOT allowed in retail food establishments. If these restricted-use products are observed, FSIOs are encouraged to take measures to secure all on-hand quantities (including tags),

prevent further distribution/service, and immediately notify the ISDH Food Protection Program at 317-233-7360.

Mark Mattox, ISDH
State Shellfish Sanitation Officer



ISDH To Roll Out a New Inspection Form

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In addition, ISDH will be offering training on the use of the Retail Food Establishment Inspection Report and instruction manual. Your local field staff will also be available to give you a helping hand.

ISDH began using CodePal, a new electronic inspection system that incorporates this new inspection form which allows compiling data from retail food inspections. ISDH will not be mass producing the Food Establishment Inspec-

tion Report forms. Instead each county will be given a master form for copies or a copy may be obtained through CodePal, the electronic inspection system, which is the preferred method. The exact form is not ready for publication, but you can view FDA's version in the Food Code Annexes 2009 version, Form 3-A or view it at the following link:

<http://www.fda.gov/Food/FoodSafety/RetailFoodProtection/FoodCode/FoodCode2009/ucm188327.htm#form3a>



FDA Food Code Training

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The intent of the Food Code is to have a uniform system of regulation for the nation's food supply focusing on the following five risk factors:

- Improper Holding Temperatures
- Inadequate Cooking
- Contaminated Equipment/ Cross Contamination
- Food From Unsafe Sources
- Poor Personal Hygiene

The 2009 FDA Food Code includes new definitions of cut leafy greens, mechanically tenderized, and non-continuous cooking to-

gether with new risk designations for code provisions by way of priority item, priority foundation item, and core items.

Employee Health requirements are better understood with the introduction of tables and a decision tree in Annex 3 of the 2009 Food Code. The tables aid the Person In Charge (PIC) with the appropriate corrective action when faced with an ill employee showing symptoms common with the Big 5 Pathogens of foodborne illness namely: Norovirus, Salmonella Typhi, E. coli O157:H7, Shigella, and Hepatitis A virus.

Taking a process approach to inspections was recommended by FDA so that a systematic assess-

ment of the flow of food through an establishment could be followed and the risk factors associated with the process could be identified for compliance. One challenge to this approach is that typically the FSIO usually is not in the retail food establishment through the complete process, particularly a complex process, but this is remedied when asking the PIC questions concerning cook temperatures, cool down methods, and re-heat procedures. This inspection approach ensures that the FSIO is focused on the food code compliance of the process and the risk factors associated with foodborne illness, rather than a floors, walls and ceiling approach.

ISDH Food Staff at the Fair



The 2011 Indiana State Fair will be held August 5-21 and your ISDH Food Protection Staff will be on site doing inspections of the food vendors. With a few hundred inspections needing to be done, FSIO's are extremely busy. Add in the August heat, and you have the makings of an exhausting three

weeks of fair fun. The Indiana State Fair is one of the biggest events in the state which means lots of people, lots of animals, and lots of food. Food safety is the number one priority for ISDH Food Protection staff. The fair is just another day at the office.

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FIND US ON THE WEB!

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Indiana State Department of Health

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Did You Know?

On April 20, 2010 the BP oil spill involving the Deepwater Horizon oil drilling platform spilled millions of gallons of oil into the Gulf of Mexico. As a result there has been some skepticism concerning the safety of the seafood coming from the area. As a further result FDA put testing procedures in place for the seafood before it was released for public consumption.

On Feb. 10, 2011, the Louisiana Department of Wildlife and Fisheries (LDWF) announced that the levels of contaminants found in gulf seafood from the oil spill and dispersants used to break down the oil were so low that the average consumer would have to consume extreme amounts of seafood before a possible health risk would occur. How much did the LDWF say was extreme?

Every day for five years a person would have to consume:

- 63 pounds of peeled Louisiana shrimp, or 1,575 jumbo shrimp, or
- 5 pounds of Louisiana oyster meat, or 130 individual oysters, or
- 9 pounds of Louisiana fish, or 18 8-ounce fish filets

If you would like to read more about the findings of the LDWF go to

www.wlf.louisiana.gov

Source:

www.wlf.louisiana.gov/news/33720

